

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of New York

GERARDO ANTONIO GUTIERREZ,

Plaintiff(s)

v.

RB MAINTENANCE LLC, RBM MAINTENANCE
LLC, RBM MAINTENANCE D/B/A CARTEL,
TOYOTA OF BAYRIDGE, LLC D/B/A TOYOTA OF
BAY RIDGE BROOKLYN, FERNANDO BARRIOS, IN

Defendant(s)

Civil Action No. 25-cv-3050

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* RB MAINTENANCE LLC, RBM MAINTENANCE LLC, RBM MAINTENANCE D/B/A CARTEL, TOYOTA OF BAYRIDGE, LLC D/B/A TOYOTA OF BAY RIDGE BROOKLYN, FERNANDO BARRIOS, INDIVIDUALLY, AND ROXANNA BARRIOS INDIVIDUALLY.
SEE ATTACHED RIDER FOR ADDRESSES OF ALL DEFENDANTS.

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) - or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) - you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Elana T. Henderson, Esq.
Franklin, Gringer & Cohen, P.C.
666 Old Country Road, Suite 202
Garden City, New York 11530

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 6/3/2025



BRENNA B. MAHONEY
CLERK OF COURT

Shirley Mora

Signature of Clerk or Deputy Clerk

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Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (/))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____ and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

RIDER TO SUMMONS

Civil Case No.: _____

FULL COMPLAINT CAPTION

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X

GERARDO ANTONIO GUTIERREZ,

Index No.

Plaintiff,

-against-

COMPLAINT

**RB MAINTENANCE LLC, RBM MAINTENANCE LLC,
RBM MAINTENANCE D/B/A CARTEL, TOYOTA OF
BAYRIDGE, LLC D/B/A TOYOTA OF BAY RIDGE
BROOKLYN, FERNANDO BARRIOS, INDIVIDUALLY,
AND ROXANA BARRIOS, INDIVIDUALLY.**

**JURY TRIAL
DEMANDED**

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Via Personal Service

RB Maintenance LLC
1216 Broadway, Suite 62
New York, New York 10001

RBM Maintenance LLC
1216 Broadway, Suite 62
New York, New York 10001

RBM Maintenance d/b/a Cartel
1216 Broadway, Suite 62
New York, New York 10001

Toyota of Bayridge, LLC d/b/a Toyota of Bay Ridge Brooklyn
6401 6th Avenue
Brooklyn, New York 11220

Fernando Barrios

68 PEQUANNOCK ST FL 2, DOVER, NJ 07801-3928 | MORRIS COUNTY, UNITED STATES

Roxana Barrios

15 DAVID ST, DOVER, NJ 07801-2230 | MORRIS COUNTY, UNITED STATES